



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------|------------------|
| Application Number | 10/768,312 |
| Filing Date | January 30, 2004 |
| First Named Inventor | Terry et al. |
| Art Unit | 2684 |
| Examiner Name | Marceau Milord |
| Attorney Docket Number | I-2-0192.4US |

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449 |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|------------------------|----------|--------|
| Firm Name | VOLPE AND KOENIG, P.C. | | |
| Signature | <i>Scott Wolinsky</i> | | |
| Printed name | Scott Wolinsky | | |
| Date | April 11, 2006 | Reg. No. | 46,413 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
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| Signature | <i>Scott Wolinsky</i> | | |
| Typed or printed name | Scott Wolinsky | Date | April 11, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Terry et al.

Application No.: 10/768,312

Our File: I-2-0192.4US

Confirmation No.: 6325

Date: April 11, 2006

Filed: January 30, 2004

For: DYNAMIC CHANNEL
QUALITY MEASUREMENT PROCEDURE
IMPLEMENTED IN A WIRELESS DIGITAL
COMMUNICATION SYSTEM TO PRIORITIZE
THE FORWARDING OF DOWNLINK DATA

Group: 2684

Examiner: Marceau Milord

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
INCLUDING RULE 1.704(d) STATEMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Newly cited documents are indicated by an asterisk (*).

Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the newly cited U.S. publications and/or patent documents have not been included.

Per Rule 1.704(d), the undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from the U.S. Patent and Trademark Office in a counterpart application, copy enclosed, and

Applicant: Terry et al.
Application No.: 10/768,312

that this communication was not received by any individual designated in §1.56(c) more than thirty (30) days prior to the filing of the Information Disclosure Statement.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his/her consideration of the cited materials.

Respectfully submitted,

Terry et al.

By Scott Wolinsky
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SW/l
Enclosure



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| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. I-2-0192.4US | SERIAL NO. 10/768,312 |
| | APPLICANT Terry et al. | |
| | FILING DATE January 30, 2004 | GROUP 2684 |

| U.S. PATENT DOCUMENTS | | | | | | | |
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| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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| | | | | FILING DATE January 30, 2004 | | GROUP 2684 | |

| U.S. PATENT DOCUMENTS | | | | | | | |
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| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
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